

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

BOARD OF TRUSTEES OF THE  
AUTOMOTIVE MACHINISTS PENSION  
TRUST,

Plaintiff,

v.

ROSS ISLAND SAND & GRAVEL CO.,  
an Oregon corporation,

Defendant,

v.

WASHINGTON TRUST BANK,

Garnishee-Defendant.

NO. MC19-0013RSL

ORDER DIRECTING ENTRY OF  
JUDGMENT ON GARNISHEE ANSWER

**Summary of Judgment**

Judgment Creditor:

Board of Trustees of the Automotive  
Machinists Pension Trust

Judgment Debtor:

Ross Island Sand & Gravel Co.

Garnishee-Defendant

Washington Trust Bank

Garnishment Judgment Amount:

\$64,954.03

Garnishment Costs:

\$137.00

Attorney for Judgment Creditor:

Noelle E. Dwarzski

McKenzie Rothwell Barlow & Coughran, P.S.

THIS MATTER coming on for consideration upon Plaintiff/Judgment Creditor's motion for judgment on the answer of Garnishee-Defendant; it appearing that Garnishee-Defendant has filed its answer herein stating that it holds funds of the Judgment-Debtor, Ross Island Sand & Gravel Co., in the sum of \$64,954.03; that judgment Creditor has judgment unsatisfied against the Judgment Debtor of \$64,817.03;<sup>1</sup> that Judgment Creditor's costs in the amount of \$137.00 in this garnishment action are stated above; that more than twenty (20) days have elapsed since service of the Writ of Garnishment and Garnishee Defendant's answer thereto: that signed affidavit or return of service of the Writ of Garnishment, Application for Writ of Garnishment including a copy of the judgment entered in this action, indicating service upon the Judgment Debtor by Certified mail, is on file herein now, therefore, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

1. Judgment Creditor shall have judgment against the Garnishee-Defendant in the sum of \$64,954.03; such funds to be first applied in satisfaction of the costs and fees taxable herein;
2. Upon payment by Garnishee-Defendant of the aforementioned sum to the registry of this Court, said Garnishee-Defendant shall be discharged from this action. Upon receipt of said sum, the

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<sup>1</sup> The unsatisfied judgment amount is the original judgment amount (\$97,574.65) plus costs in a previous garnishment action (\$137.00) minus the amount recovered in the previous garnishment action (\$32,894.02).

- Clerk of the court shall enter full satisfaction of the judgment against Garnishee-Defendant.
3. Judgment Creditor shall have judgment against the Judgment Debtor for costs in this garnishment action in the sum of \$137.00; said sum shall be added to Judgment Creditor's prior judgment against Judgment Debtor.
  4. Upon receipt of the aforementioned payment from the above Garnishee-Defendant, the clerk is authorized and directed to draw a check on the funds on deposit in the registry of this court in the principal amount of \$64,954.03, plus all accrued interest, minus any statutory user fees, payable to Judgment Creditor, c/o McKenzie Rothwell Barlow & Coughran, P.S., 1325 Fourth Ave., Suite 910, Seattle WA 98101, and mail or deliver the check to McKenzie Rothwell Barlow & Coughran, P.S., ATTN: Noelle E. Dwarzski.
  5. Upon receipt of said sum, Plaintiff's attorney shall cause an appropriate satisfaction of judgment to be filed as to the principal Defendant.

DATED this 19th day of March, 2019.

*Robert S. Lasnik*  
ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE